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EXAMINER

FARKHONDAR, FARIMA

ART UNIT	PAPER NUMBER
2681	

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/850,197

Applicant(s)

WANG ET AL.

Examiner

Farima Farkhondar

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24-27 is/are allowed.
- 6) ☒ Claim(s) 1-23 and 28-37 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-23, 28-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Rignell et al., US Patent 5818920.

Regarding claim 1, Rignell discloses a method of filtering incoming calls comprising: recording local time information of a mobile subscriber unit (column 8, lines 45-47); receiving a request for a call to the mobile subscriber unit from a calling unit and checking whether the local time information indicates that the mobile subscriber unit is within a time zone in an inconvenient time period (column 7, lines 26-50); and sending an indication to the calling unit to inform the calling unit that the local time information of the mobile subscriber unit is in the time zone within the inconvenient time period when the checking determines that the local time information is within the inconvenient time period (column 7, lines 62-64, column 8, lines 5-8).

Regarding claim 2, Rignell further discloses the indication includes a request to the calling unit to perform one of confirming that the call is to be completed and indicating that the call is to be terminated (column 8, lines 8-15).

Regarding claim 3, Rignell further discloses confirming, from the calling unit, that the call is to be completed; and completing setting up of the call (column 8, lines 8-15).

Regarding claim 4, Rignell further discloses indicating, from the calling unit, that the call is to be terminated; and terminating setup of the call (Abstract, lines 12-16).

Regarding claim 5, Rignell further discloses the recording of the local time information comprises storing the local time information at a mobile switching center/home location register associated with the mobile subscriber unit (column 8, lines 45-48, see also column 8, lines 40-44, note Filter 50 may be built into PLMN which comprises MSC/HLR see also column 4, lines 51-56 for HLR), the checking of the local time information is performed at the mobile switching center/home location register when the request for the call is received at the mobile switching center/home location register (column 8, lines 15-20) and the sending of the indication to the calling unit is performed by the mobile switching center/home location register after receiving the call request (column 8, lines 15-20).

Regarding claim 6, Rignell further discloses when the calling unit receives the indication, a message is displayed on a display of the calling unit indicating that the mobile subscriber unit is in the time zone within the inconvenient time period (column 8, lines 16-20, and lines 29-32).

Regarding claim 7, Rignell further discloses when the indication is received, a voice message is played for a user of the second mobile subscriber unit, the voice message indicating that the mobile subscriber unit is in the time zone within the inconvenient time period (column 8, lines 16-20, and lines 29-32).

Regarding claim 8, Rignell discloses a method of filtering incoming calls comprising: receiving local time information at a mobile subscriber unit (column 8, lines 45-47); updating, at the mobile subscriber unit, a local time of the mobile subscriber unit based on the received local time information (column 8, lines 45-47); initiating a request for a call to the mobile subscriber unit from a calling unit (column 8, lines 5-6); receiving, at the mobile subscriber unit, the request for the call from the calling unit (column 8, lines 5-6); checking, at the mobile subscriber unit (column 8, lines 47-48, note Filter 50 may be built into a mobile station), the local time information (column 8, lines 45-48, note the filter unit may comprise a real-time clock as a base for the local time); and sending an indication from the mobile subscriber unit to the calling unit indicating that the local time information of the mobile subscriber unit indicates that a local time is within an inconvenient time period when the local time information of the mobile subscriber unit indicates that the local time is within the inconvenient time period (column 8, lines 5-10, and lines 29-32).

Art Unit: 2681

Regarding claim 9, Rignell further discloses the indication includes a request to the calling unit to perform one of confirming that the call is to be completed and indicating that the call is to be terminated (column 8, lines 8-15).

Regarding claim 10, Rignell further discloses confirming, from the calling unit, that the call is to be completed; and completing setting up of the call (column 8, lines 8-15).

Regarding claim 11, Rignell further discloses indicating, from the calling unit, that the call is to be terminated; and terminating setup of the call (Abstract, lines 12-16).

Regarding claim 12, Rignell further discloses when the calling unit receives the indication, a message is displayed on a display of the calling unit indicating that the local time of the mobile subscriber unit is in the inconvenient time period(column 8, lines 16-20, and lines 29-32).

Regarding claim 13, Rignell further discloses when the indication is received, a voice message is played for a user of the calling unit, the voice message indicating that the local time of the mobile subscriber unit is in the inconvenient time period(column 8, lines 16-20, and lines 29-32).

Regarding claim 14, Rignell further discloses when the indication is received, a voice message is played for a user of the calling unit, the voice message indicating that the

local time of the mobile subscriber unit is in the inconvenient time (column 8, lines 16-20, and lines 29-32).

Regarding claim 15, Rignell further discloses allowing a user of the mobile subscriber unit to specify the inconvenient time period (column 8, lines 15-16).

Regarding claims 16 and 18, Rignell discloses a mobile subscriber unit for use with a mobile communication network, the mobile subscriber unit comprising: a destination local time receiver to receive local time information regarding a second mobile subscriber unit when the mobile subscriber unit attempts to establish a call to the second mobile subscriber unit and a local time of the second mobile subscriber unit is within an inconvenient time period (column 8, lines 19-20 and 29-32); and a display unit to display a notification that the local time of the second mobile subscriber unit is within the inconvenient time period when the destination local time receiver receives the local time information (column 8, lines 19-20 and 29-32).

Regarding claim 17, Rignell further discloses when the display unit displays the notification, the display unit further displays a request to a user of the mobile subscriber unit to perform one of confirm that the call is to be completed and terminate establishment of the call (column 8, lines 5-20).

Art Unit: 2681

Regarding claim 19, Rignell discloses a mobile subscriber unit for use with a mobile communication network, the mobile subscriber unit comprising: a local time updater to update local time information based on received time indications (column 8, lines 45-48, note it may receive the local time from PLMN); a local time checker to check the local time information when a request for a call originating from a calling unit is received (column 8, lines 15-28) ; and a time message generator to generate and send a message to the calling unit when the local time checker determines that a local time of the mobile subscriber unit is within an inconvenient time period based on the local time information (column 8, lines 15-32) .

Regarding claim 20, Rignell further discloses the message to be generated by the time message generator includes a request for the second mobile subscriber unit to perform one of confirming that the call is to be established and terminating establishment of the call(column 8, lines 5-20).

Regarding claim 21, Rignell further discloses a call establisher to establish the call when an indication is received from the calling unit confirming that the call is to be established, the indication being sent from the calling unit after the calling unit receives the message indicating that the local time of the mobile subscriber unit is in an inconvenient time period (column 8, lines 5-15).

Art Unit: 2681

Regarding claim 22, Rignell further discloses a call terminator to terminate the call when an indication is received from the calling unit indicating that the call is to be terminated, the indication being sent from the calling unit after receiving the message indicating that the local time of the mobile subscriber unit is in an inconvenient time period (abstract, lines, 7-12).

Regarding claim 23, Rignell further discloses an inconvenient time setter to allow a user of the mobile subscriber unit to specify the inconvenient time period (column 8, lines 15-16).

Regarding claim 28, Rignell discloses a mobile communication system comprising: a first mobile subscriber unit and a second mobile subscriber unit (Figure 3), the first mobile subscriber unit including: a local time updater to update local time information maintained by the first mobile subscriber unit based on received time indications (column 8, lines 46-47, note receiving local time from PLMN), a local time checker to check the local time information when a request for a call originating from the second mobile subscriber unit is received (column 8, lines 15-20), and a time message generator to generate and send a message to the second mobile subscriber unit when the local time checker determines that a local time of the first mobile subscriber unit is within an inconvenient time period based on the local time information (column 8, lines 5-32); and the second mobile subscriber unit including: a destination local time receiver to receive the local time information regarding the first mobile subscriber unit

Art Unit: 2681

when the second mobile subscriber unit attempts to establish a call to the first mobile subscriber unit and the local time of the first mobile subscriber unit is within an inconvenient time period (column 8, lines 15-20), and a display unit to display a notification that the local time of the first mobile subscriber unit is within the inconvenient time period when the destination local time receiver receives the local time information (column 8, lines 15-20).

Regarding claim 29, Rignell further discloses the message to be generated by the time message generator causes the second mobile subscriber unit to perform one of confirming that the call is to be established and terminating establishment of the call (column 8, lines 5-20).

Regarding claim 30, Rignell further discloses the first mobile subscriber unit further comprises: a call establisher to establish the call when an indication is received from the second mobile subscriber unit confirming that the call is to be established, the indication being sent from the second mobile subscriber unit after receiving the message indicating that the local time of mobile subscriber unit is in the inconvenient time period (column 8, lines 5-23).

Regarding claim 31, Rignell further discloses the first mobile subscriber unit further comprises: a call terminator to terminate the call when an indication is received from the second mobile subscriber unit indicating that the call is to be terminated, the

Art Unit: 2681

indication being sent from the second mobile subscriber unit after receiving the message indicating that the local time of the first mobile subscriber unit is in the inconvenient time period (column 8, lines 5-15).

Regarding claim 32, Rignell further discloses when the display unit of the second mobile subscriber unit displays the notification, the display unit further displays a request to a user of the second mobile subscriber unit to perform one of confirming that the call is to be completed and terminating establishment of the call (column 8, lines 15-23).

Regarding claim 33, Rignell further discloses mobile switching center/home location register for a mobile communication system, the mobile switching center/home location register (Figure 3) comprising: a local time information receiver to receive local time information from a roaming mobile subscriber unit, the roaming mobile subscriber unit being associated with the mobile switching center/home location register (column 8, lines 46-47, note receiving local time from PLMN, see column 4 lines 40-44 and lines 54-55); a local time checker to check the local time information when a request for a call originating from a calling unit to the roaming mobile subscriber unit is received by the mobile switching center/home location register (column 8, lines 15-20); and a time message generator to generate and send a message to the calling unit when the local time checker determines that a local time of the roaming subscriber unit is within an inconvenient time period based on the local time information (column 8, lines 5-32).

Art Unit: 2681

Regarding claim 34, Rignell further discloses the time message generator generates a voice message to be played on a speaker of the calling unit (column 4, lines 60-64).

Regarding claim 35, Rignell further discloses the message to be generated by the time message generator includes a request for the calling unit to perform one of confirm that the call is to be established and terminate establishment of the call(column 8, lines 5-20).

Regarding claim 36, Rignell further discloses a call establisher to allow the call to be established when an indication is received from the calling subscriber unit confirming that the call is to be established, the indication being sent from the calling unit after receiving the message indicating that the local time of roaming mobile subscriber unit is within the inconvenient time period (column 8, lines 5-23).

Regarding claim 37, Rignell further discloses a call terminator to terminate the call when an indication is received from the calling unit indicating that the call is to be terminated, the indication being sent from the calling unit after receiving the message indicating that the local time of roaming mobile subscriber unit is within the inconvenient time period (column 8, lines 5-23).

Regarding claim 38, Rignell discloses a method of filtering incoming calls comprising: recording local time information of a mobile subscriber unit (column 8, lines 45-47); receiving a request for a call to the mobile subscriber unit from a calling unit and checking whether the local time information indicates that the mobile subscriber unit is within a time zone in an inconvenient time period (column 8, lines 15-20); and preventing the call from being established when the local time information of the mobile subscriber unit is within the inconvenient time period (abstract lines 7-15).

Regarding claim 39, Rignell further discloses the recording of the local time information comprises storing the local time information at a mobile switching center/home location register associated with the first mobile subscriber unit (column 8, lines 45-47), and the checking of the local time information is performed at the mobile switching center/home location register when the request for the call is received at the mobile switching center/home location register (column 8, lines 15-20 and lines 40-44).

Allowable Subject Matter

3. Claims 24-27 are allowed.

Regarding claim 24, Hodges discloses A mobile communication system comprising: a second mobile subscriber unit including a destination local time receiver to receive the local time information from the first mobile switching center/home location register when the first mobile switching center/home location register determines that a call

Art Unit: 2681

attempt from the second mobile subscriber unit to the first mobile subscriber unit occurs at an inconvenient time according to the local time information (column 5, lines 9-19). However, no other reference teaches the combination of does not disclose a mobile switching center/visitor location register; a first mobile subscriber unit, the first mobile subscriber unit including a time reporter to report local time information to the mobile switching center/visitor location register when the first mobile subscriber unit is roaming; a first mobile switching enter/home location register associated with the first mobile subscriber unit and configured to receive the local time information from the mobile switching center/visitor location register when the first mobile subscriber unit is roaming; and a second mobile subscriber unit including a destination local time receiver to receive the local time information from the first mobile switching center/home location register when the first mobile switching center/home location register determines that a call attempt from the second mobile subscriber unit to the first mobile subscriber unit occurs at an inconvenient time according to the local time information. Therefore Moreover, no other reference has been discovered that would suggest modifying Hodges, such that claim 24 would be obvious. Therefore the limitations as mentioned above of claim 24 along with additional subject matter associated with the claim (claims 25-27) comprises a unique combination of subject matter that is neither taught nor suggested by the prior art.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent 6600817, Shaffer et al., Method And Apparatus For Monitoring Communication Connections Within And Across Time Zones. When the system is set for monitoring incoming calls exclusively within the same time zone as the target communication terminal or monitoring incoming calls exclusively outside the target communication terminal, the system cross-checks the caller identification information against area codes and country codes contained in a local database. In response to detecting an incoming call that is received within one of the predetermined time periods and that is set to be monitored, the system will (i) play a message informing the caller of the local time of the target communication terminal; (ii) play an announcement indicating that the call is being made within a predetermined time period in which calls are being monitored; and (iii) offer the caller the option of abandoning the call before it is connected.

US Patent 6138008, Dunn et al., Wireless Telephone Menu System. A method for completing a telephone call originating from a calling party to a called party. The method determines the time zone at a first cell location associated with the originating calling party. It also determines the time zone at a second location associated with the called party. A comparison is made between the time zone associated with the calling

Art Unit: 2681

party with the time zone associated with the called party. An announcement associated with the time of day is made to the calling party if the time zone associated with the calling party is not the same as the time zone associated with the called party.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farima Farkhondar whose telephone number is 703-305-6285. The examiner can normally be reached on 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erica Gary can be reached on 703-308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Farima Farkhondar-Tonsey
Examiner

March 22, 2004


4-4-04

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PRIMARY EXAMINER